### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:      Paul Freiberger et al.

Assignee:        Interval Research Corporation

Title:           Attention Manager for Occupying the Peripheral
                 Attention of a Person in the Vicinity of a Display
                 Device

Serial No.:      08/620,641      Filed:  March 22, 1996

Examiner:        Jeffery A. Brier      Group Art Unit:   2775

Attorney Docket No.:   IR-003

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                                           Milpitas, California
                                           August 3, 1998

Assistant Commissioner for Patents
Washington, D. C. 20231

### SUPPLEMENTAL RESPONSE TO OFFICE ACTION

Sir:

Please enter the following supplemental response to the
Office Action dated February 3, 1998, in the above-identified
application.  A Response to Office Action was previously
submitted by Applicants on July 3, 1998 (hereinafter, the
"previous Office Action response"), responding to that Office
Action.

Claims 1-67 are pending and have been rejected
under 35 U.S.C. § 102.  Reconsideration and allowance of Claims
1-67 was requested in the previous Office Action response, and is
again requested in view of the additional remarks made herein and
the documents accompanying this Supplemental Response.

In the Office Action, the Examiner rejected Claims 1-19, 21-
31, 33-46 and 48-67 under 35 U.S.C. § 102(e) as being anticipated
by Judson.  The application from which the Judson patent issued
was filed on October 19, 1995.

The instant application was filed on March 22, 1996.  As
indicated in the previous Office Action response, at least the
subject matter recited in Claims 1, 6, 7, 9, 14, 15, 18-22, 24-
29, 31, 32, 41, 42, 45-49, 53, 54 and 61-63 was conceived and
reduced to practice prior to October 1995, thus making the Judson
patent inapplicable as a reference that can be used to reject
those claims, and obviating the rejection of Claims 1, 6, 7, 9,
14, 15, 18, 19, 21, 22, 24-29, 31, 41, 42, 45, 46, 48, 49, 53, 54
and 61-63 as being anticipated by Judson.  With the previous
Office Action response, Applicants submitted a copy of a
Declaration of Paul A. Freiberger Under 37 C.F.R. § 1.131 stating
facts that show conception and reduction to practice of the
instant invention as described above.  With this Supplemental
Response, Applicants have submitted a Declaration of Philippe P.
Piernot Under 37 C.F.R. § 1.131 and a Declaration of Giles N.
Goodhead Under 37 C.F.R. § 1.131, each of which also state facts
that show conception and reduction to practice of the instant
invention as described above.  Messrs. Freiberger, Piernot and
Goodhead are the inventors of the subject matter recited in
Claims 1, 6, 7, 9, 14, 15, 18-22, 24-29, 31, 32, 41, 42, 45-49,
53, 54 and 61-63.

The Examiner also rejected Claims 19, 20, 25-28, 32 and 41-47 under 35 U.S.C. § 102(a) as being anticipated by PointCast as described in the 2-13-96 Wall Street Journal article by Joan E. Rigdon. The Wall Street Journal article describing the PointCast software was published on February 13, 1996.

As discussed above, at least the subject matter recited in Claims 1, 6, 7, 9, 14, 15, 18-22, 24-29, 31, 32, 41, 42, 45-49, 53, 54 and 61-63 was conceived and reduced to practice prior to October 1995, thus making the Wall Street Journal article inapplicable as a reference that can be used to reject those claims, and obviating the rejection of Claims 19, 20, 25-28, 32, 41, 42 and 45-47 as being anticipated by the description of the PointCast software in the Wall Street Journal article.

In view of the foregoing, as well as the remarks made in the previously Office Action response, it is requested that the rejection of Claims 1-67 under 35 U.S.C. § 102 be withdrawn. If the Examiner wishes to discuss any aspect of this application, the Examiner is invited to telephone Applicants' undersigned attorney at (408) 945-9912.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on August 3, 1998.

8-3-98   _David R. Graham_
Date        Signature

Respectfully submitted,

_David R. Graham_

David R. Graham
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Attorney for Applicants

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